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20 Attorneys for Defendant
21 CEMEX CONSTRUCTION MATERIALS
22 PACIFIC, LLC

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28 **UNITED STATES DISTRICT COURT**
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30 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

31 ROBERT ROSE and PAUL SIMI, on behalf of
32 themselves and those similarly situated,

33 Plaintiffs,

34 v.

35 CEMEX CONSTRUCTION MATERIALS
36 PACIFIC, LLC, and DOES 1 through 50,

37 Defendants.

38 Case No. 2:23-CV-01979-WBS-AC

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40 **JOINT STIPULATION TO EXTEND
41 DISCOVERY CUT-OFF DEADLINE AND
42 RELATED TRIAL DEADLINES; ORDER**

43 Judge: Hon. William B.

44 Shubb

45 Complaint Filed July 6, 2023

46 Action Removed: September 13, 2023

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48 THE PARTIES HEREBY STIPULATE AND AGREE AND RESPECTFULLY REQUEST,
49 subject to approval by this Court, that the pending deadlines in this matter be continued for a period
50 of ninety (90) days as set forth below. The parties contend there is good cause for this request as
51 follows.

52 The parties have been diligently litigating this matter through discovery. During the

1 discovery process various discovery disputes have arisen related to the production of documents and
2 the setting of depositions, including particularly the breadth of documents to be produced in relation
3 to the claims and viability of the claims asserted by Plaintiffs. The parties have worked out a process
4 to resolve their disputes, but in order to do so the parties need to extend the current discovery
5 deadline by ninety (90) days in order to allow for that process. The parties contend that with such an
6 extension the parties will alleviate the need to file any motions to compel, and the parties agree that
7 such time should be sufficient to complete discovery and allow the parties the opportunity to either
8 resolve this matter or define the issues for law and motion before this Court. Given the need for
9 additional time for discovery, the parties contend there is good cause for an extension of all the
10 deadlines so that this matter can be appropriately litigated and that neither party is prejudiced by an
11 extension of the discovery deadline.

12 Specifically, the parties respectfully request the following modifications to this Court's June
13 26, 2024 Pretrial Scheduling Order:

- 14 a. Discovery Deadline as defined in the Pretrial Scheduling Order be continued from
15 November 21, 2025 to February 20, 2026;
- 16 b. Motion Deadline as defined in the Pretrial Scheduling Order be continued from January
17 30, 2026 to March 27, 2026;
- 18 c. The Final Pretrial Conference be continued from April 20, 2026 to **July 27, 2026 at**
1:30 p.m.;
- 20 d. Trial Date be continued from June 16, 2026 to **September 29, 2026 at 9:00 a.m.**

21 The Courtroom Deputy confirmed the availability for the dates for the Final Pretrial
22 Conference and Trial Date. As noted above, the parties contend that the above modifications are
23 necessary for the completion of discovery and appropriate resolution of this matter.

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1 Dated: November 5, 2025

BEESON, TAYER & BODINE, APC

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3 By: /s/ Sarah S. Kanbar

4 SARAH S. KANBAR

5 Attorneys for ROBERT ROSE, PAUL
SIMI AND PUTATIVE CLASS

6 Dated: November 5, 2025

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8 HANSON BRIDGETT, LLP

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10 By: /s/ Dorothy S. Liu, as authorized on 11/5/25

11 SARAH S. KANBAR

12 Attorneys for Defendant
13 CEMEX CONSTRUCTION MATERIALS
14 PACIFIC, LLC

15 **IT IS SO ORDERED**

16 Dated: November 6, 2025

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18 WILLIAM B. SHUBB

19 UNITED STATES DISTRICT JUDGE